

Article - Environment

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§9–510.

(a) In addition to the powers set forth elsewhere in this subtitle, the Department may:

(1) Conduct surveys and research to carry out the provisions of this subtitle; and

(2) Specify the location for any sewage treatment facility discharge point that is included in any county plan.

(b) In addition to the duties set forth elsewhere in this subtitle, the Department shall adopt rules and regulations:

(1) To carry out the provisions of this subtitle;

(2) To control, limit, or prohibit the installation and use of:

(i) Water supply systems; and

(ii) Sewerage systems;

(3) To require that, before installation of individual water supply systems or individual sewerage systems, consideration be given to:

(i) Present and future population density;

(ii) Size of parcels;

(iii) Contour of the land;

(iv) Porosity and absorbency of the soil;

(v) Ground water conditions;

(vi) Availability of water from unpolluted aquifers;

(vii) Type of construction of community water supply systems;

(viii) Type of construction of community sewerage systems;

(ix) Size of the proposed development; and

(x) Any other pertinent factors;

(4) To require that, giving consideration to the factors in item (3) of this subsection, areas be served by community facilities if the Department finds them to be reasonably necessary:

(i) By installation of the community water supply system, community sewerage system, or solid waste disposal system; and

(ii) By connection of all premises to or service to all premises by the community water supply system, community sewerage system, or solid waste disposal system;

(5) To require that community water supply systems, community sewerage systems, and solid waste disposal systems be constructed to allow the connection of those systems to a larger system, if that larger system becomes available;

(6) To allow a person to install an individual water supply system or an individual sewerage system in any area where a community water supply system or a community sewerage system is not available or required to be installed in the area if:

(i) The Department finds that the individual system is adequate and safe for use before a community system is scheduled to be available in the area; and

(ii) The individual system is constructed in the most economical and convenient way to permit connection to a community system in the area, and the person guarantees the connection to a community system:

1. When the county governing body where the area is located sets a time; and

2. In accordance with this subtitle, any rules and regulations adopted under this subtitle, and any other State law or county requirement by:

A. Posting a bond to secure actual construction and installation of the systems with satisfactory surety for the benefit of the county governing body; or

B. Making any other arrangement that the Department considers necessary and adequate to carry out the provisions of this subtitle;

(7) If a solid waste disposal system is not available or required to be installed in any area as provided in item (4) of this subsection, to allow a person to provide a solid waste acceptance facility in the area without a systematic collection and transportation system;

(8) To require that, before issuance of a permit for construction of a community or multiuse sewerage system, a financial management plan sufficient to ensure the dependable and safe operation of the system has been adopted within the county plan and approved by the Department; and

(9) To require that:

(i) Before issuance of a permit for construction of a privately owned community water supply system that will serve 4 or more residential lots or 2 or more other lots, the applicant has proposed a financial management plan sufficient to ensure the dependable and safe operation of the system, and the plan has been approved by the Department; and

(ii) The applicant shall comply with the plan as approved by the Department.

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